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60130-899

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mass., et al.

Serial No.: 09/672,393

Filed: September 28, 2000

Priority DE 19946307.7 Filed: September 28, 1999
DE 20006773.7 Filed: April 12, 2000
DE 20009435.1 Filed: May 29, 2000

FAX RECEIVED

Group Art Unit: 3612 AUG 24 2001

Examiner: Unknown PETITIONS OFFICE

Title: MOTOR VEHICLE DOOR

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

Assistant Commissioner of Patents
Box DAX
Washington, D.C. 20231

Dear Sir:

This Request for Reconsideration is in response to the Decision Refusing Status under 37 CFR 1.47(a) mailed June 25, 2001. Gregory Keyes, the missing inventor, was employed by Meritor, and under an obligation to assign inventions to Meritor. Mr. Keyes has left Meritor and has not been located.

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Petitioner is submitting an affidavit signed by Horst Schumacher of König Palgen Schumacher Kluin (König) in Germany summarizing the efforts taken to locate Mr. Keyes to obtain Mr. Keyes' signature for the declaration for this patent application. As stated in Mr. Schumacher's affidavit, König sent correspondence to Mr. Keyes at Meritor Automotive GmbH on December 22, 2001 and was informed on March 2, 2001 by Mrs. Post of Meritor Frankfurt by telephone that Mr. Keyes had moved without leaving a new address or telephone number. König attempted to call Mr. Keyes at his last known phone number, but the line was no longer in service. König also contacted the British law firm of Marks & Clerk (**Exhibit A**) on March 21, 2002 inquiring how to find a new address of a British citizen. Marks & Clark responded by letter (**Exhibit B**) on March 23, 2001 stating that there is no easy way of searching for a British citizen as there is no requirement in Great Britain for address registration. Additionally, König contacted Mrs. Anna Riley of the Personal Department of Meritor Great Britain on April 9, 2001 by facsimile (**Exhibit C**) for information relating to Mr. Keyes' address. Mrs. Riley responded by email (**Exhibit D**) on April 9, 2001 with an address and phone number for Mr. Keyes. However, this address and phone number were old ones. To date, König has not been able to locate Mr. Keyes.

Additionally, John Jones of Withers & Rogers has been searching for Mr. Keyes and attempting to obtain his signature on a declaration for a different patent application. An affidavit signed by Mr. Jones is attached. Mr. Jones has attempted to locate Mr. Keyes by mailing correspondence to his last known address [28 Inverclyde Road, Handsworth Wood, Birmingham, West Midlands, B20 2LJ, United Kingdom], copies attached as **Exhibits E & F**. To date, Mr. Keyes has not responded and Mr. Jones has not been able to locate Mr. Keyes.

We have also attempted to contact Mr. Keyes by sending a copy of the application to his last known address on April 12, 2001 via Federal Express (copy attached as **Exhibit G**). Mr. Keyes has not responded to our letter.

Petitioner respectfully asks for reconsideration of the petition. Petitioner has presented evidence that diligent efforts have been made to locate Mr. Keyes. No further fees are required. However, if any fees are required, the Commissioner is authorized to charge Deposit Account No.

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50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS, P.C.

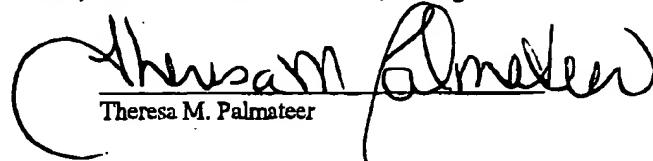


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Dated: August 24, 2001

CERTIFICATE OF SERVICE BY FACSIMILE

I hereby certify that this Petition and accompanying documents are being sent to the United States Patent Office via facsimile number (703) 308-6916, Attention: Office of Petitions, on August 24, 2001.



Theresa M. Palmateer

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